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Attorneys for Defendants
Safra National Bank of New York
Banco Safra, S.A.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STANTON STERLING SCHULTZ

Plaintiff,

vs.

NOTICE OF MOTION

Case No. 08cv02371 (RMB)

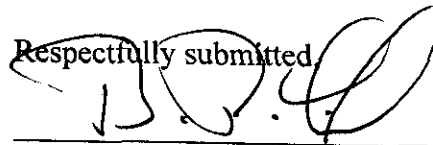
SAFRA NATIONAL BANK OF NEW YORK,
and BANCO SAFRA, S.A.

Defendants.

PLEASE TAKE NOTICE, upon the annexed declaration of Barry R. Fischer, dated July 30, 2008, and the exhibits annexed thereto, together with the Memorandum of Law in support of defendant's motion to dismiss, that the undersigned will move before this Court on September 15, 2008, before the Honorable Richard M. Berman, in Courtroom 21D of the United States Courthouse, 500 Pearl Street, New York, New York at 10:00 a.m., or as soon thereafter as counsel can be heard, for an order dismissing plaintiff's complaint.

Plaintiff has not affected proper service or obtained jurisdiction over Banco Safra, S.A., as is required under Rule 12(b)(4) and Rule 12(b)(2), respectively.

Dated: New York, New York
July 30, 2008

Respectfully submitted, 

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